NOVA SCOTIA

Environment and Labour

OCCUPATIONAL HEALTH AND SAFETY DIVISION

ANNUAL REPORT
(Final)

For the year April 1, 2007 to March 31, 2008

This is the final version of the Occupational Health and Safety Division annual report for 2007/2008. It replaces the Interim Report issued in summer, 2008.

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Executive Summary and Highlights

The highlights of the Division's operations in 2007/2008 include:

1. The Division continued work on the Violence in the Workplace Strategy. The Division, in cooperation with the WCB, provided free training sessions across the province dealing with violence risk assessments and workplace violence prevention plans.

2. The Division hired 4 Compliance Promotion Officers for a 6 month term to increase awareness of OH&S in general and violence in particular in the retail sector.

3. The Division continued work on creating a unified regulatory framework for undersea coal mining in Nova Scotia. In cooperation with the federal government and the underground mining industry and workers, the Division prepared drafting instructions for revised Underground Mining Regulations. Work continued on the project at year end.

4. The Division completed planning and development of an internal Strategic Plan to address major operations within Inspection and Compliance Services. The plan will be implemented in 2008/2009.

5. The Division started work on a strategic planning process to identify present and future OH&S issues, research their implications and, in cooperation with the Advisory Council, rank them in priority. The process was successfully piloted on the final phase of the 2005 priority list and will be fully implemented in 2008/2009.

6. The Division worked on revisions to or creation of:
   a. Underground Mining Regulations
   b. Summary Offence Ticket Regulations
   c. Blasting Safety Regulations
   d. Liquefied Natural Gas Regulations
   e. Canada - Nova Scotia Offshore Accord Implementation Act.

7. The Division implemented a new Activity Tracking System to generate better information on staff activities.

8. The Division continued work on an ISO-9001 compliant Quality Management System.

9. Related to the Quality Management System, in the area of client satisfaction, the Division continued to receive high scores in client satisfaction in the areas we currently survey - namely the Internet and the publication mail-out.

10. The Division participated in the development of national standards by:
    a. Serving on Canadian Standards Association technical committees addressing ergonomics, occupational diving, hard hats and guarding;

b. Participating in the review of the WHMIS laws and their potential harmonization with international standards through the Globally Harmonized System of Classification and Labelling of Chemicals; and

c. Serving on various interjurisdictional committees, such as the Canadian Association of Administrators of Labour Legislation and Representatives of the Atlantic Provinces.

11. The Division continued to support Environment and Labour projects aimed at developing a comprehensive Regulatory Management Policy.

12. The Division continued to work with the agency partners making up the Workplace Safety and Insurance System. The partners arranged for 2 stakeholder consultations during the fiscal year. All WSIS committees - Coordinating Committee, Heads of Agencies Committee, Strategic Performance Advisory Committee, Issues Resolution Committee and Joint Committee - were active during the fiscal year.

13. A number of social marketing campaigns were active during the fiscal year, including campaigns on television and radio, in print and initiatives on the Internet.

14. In November, 2007, Government announced that the Department of Labour and Workforce Development would be created from the merger of the non-Environment divisions of the Department of Environment and Labour and the Apprenticeship Training and Skill Development Division of the Department of Education.

Introduction

This is the report from the Occupational Health and Safety Division to the Occupational Health and Safety Advisory Council for the period April 1, 2007 to March 31, 2008. These reports are submitted annually in accordance with clause 9(f) of the Occupational Health and Safety Act to report on activity and provide a review of the administration of the Act and associated programs.

Where injury data is presented, the Division is not the sole source of the data. Thus, the Division cannot answer accurately or in detail as to the source, quality or trends of the data. If such information is required, the reader is encouraged to contact the organizations from which the data was obtained.

This report is divided into six basic areas:

- Division Mandate, Objectives and Organization
- Review of the Occupational Health and Safety Act
- Review of compliance with the OH&S Act and regulations
- Review of Performance Measures
- Review of Divisional Operations
- Other Items Included as Information.

In this document, the following short forms are used:

"Act" means the Occupational Health and Safety Act
"Advisory Council" means the Occupational Health and Safety Advisory Council
"Division" means the Occupational Health and Safety Division of the Nova Scotia Department of Environment and Labour
"LWD" means the Department of Labour and Workforce Development
"HRSDC" means Human Resources and Social Development Canada - Labour Program
"IRS" means the internal responsibility system
"JOHSC" means Joint Occupational Health and Safety Committee
"OH&S" means occupational health and safety
"SIC" means the Standard Industrial Classification - a number assigned to companies within the same industry
"WCB" means the Workers' Compensation Board of Nova Scotia
"WSIS" means the Workplace Safety and Insurance System, composed of the Division, the WCB, the Workers' Compensation Appeal Tribunal, the Workers' Advisers Program and, participating as appropriate, HRSDC.

Division Mandate, Objectives and Organization

In 2007/2008, the mission of Nova Scotia Environment and Labour was to protect and promote:

- the health and safety of people and protection property;
- a healthy environment;
- employment rights; and
- consumer interests and public confidence in pension services, and in the alcohol and gaming sector.

by delivering effective regulatory and non-regulatory programs that are sustainable and support Government's goals for public health, a clean environment and economic competitiveness.

In 2007/2008, the Division operated within the Department of Environment and Labour. The Division's Mission Statement, within the context of WSIS, is:

To establish, promote and enforce clear standards to reduce occupational injury and illness.

The objectives of the Division are to:

- together with our partners, reduce the incidence of injury and illness of employees;
- improve the understanding of occupational health and safety standards by all workplace parties; and
- improve health and safety conditions in the workplace by means of promotion, research, inspection, investigation and enforcement of laws.

Appendix A gives an organizational chart for the Division.

On April 1, 2008, the Department of Environment and Labour was split into the Department of Environment and the Department of Labour and Workforce Development. The Division was assigned to the LWD.

Review of the Occupational Health and Safety Act

This review of the Occupational Health and Safety Act includes two areas:

1. court decisions that have implications for the enforceability or interpretation of the Act
2. progress made on the Division's Multi-Year Priorities as set out in 2005.

Court Decisions:

In 2007/2008, there were three court decisions that are seen as having an impact on OH&S.

1. R. v. Mersey Seafoods Ltd., 2007 NSSC 155

Mersey Seafoods Ltd. was charged with a 8 offences under the Act. In an appeal of an earlier dismissal, the Nova Scotia Supreme Court ruled that Nova Scotia's occupational health and safety laws should not apply to a fishing vessel regulated under the Canada Shipping Act.

2. R. v. Transpavé Inc. (Note that the link the court decision goes to is in French)

Transpavé Inc., a manufacturer of concrete blocks in Saint-Eustache, QC, pled guilty on December 7, 2007 to criminal negligence charges under the Criminal Code. The charges were the result of an October, 2005 incident in which a worker was crushed to death by a machine that stacks concrete blocks.
This is the first conviction under the 2003 bill "C-45 - An Act to amend the Criminal Code (criminal liability of organizations)", which came into force on March 31, 2004. The amendment to the Criminal Code established a criminal negligence offence for workplace scenarios.

3. Ontario (Labour) v. Blenkhorn-Sayers Structural Steel Corp., 2007 CanLII 33121 (ON S.C.)

This case was an appeal of a Justice of the Peace decision that found that construction companies working at a federal facility (in this case, Toronto airport) are federally regulated. The Ontario Superior Court of Justice reversed the decision, finding that "While the work done by each [construction] company at the airport was physically, operationally and functionally dependent upon the manner in which the federal undertaking [i.e. the airport] was carried out, the opposite was not true."

Progress on 2005 Divisional Priorities:

In July, 2005, the Minister stated the Division's priorities for the next several years. The progress on those priorities as of March 31, 2008 is set out below.

Priority	Status	Comments
Repeal Radiation-Emitting Devices Regulations	Completed 2005/2006	
Create Governance and Accountability Framework for WSIS	Completed 2005/2006	Done in cooperation with WSIS partners
Diving Strategy	Completed 2006/2007	Strategy completed, including: • province-wide education sessions • training enabled through partners • guidance and plain language documents • regulations
Create strategy to address workplace violence	Completed 2007/2008	Strategy completed, including: • province-wide education sessions • social marketing • guidance and plain language documents • codes of practice • regulations
General Blasting Regulations	Completed 2007/2008	Review of technical regulations completed and blaster certification transferred to Apprenticeship Training and Skill Development Division
Add high hazard offences as Summary Offence Tickets	Completed 2007/2008	Department of Justice advises that the wording of the current regulations precludes the creation of Summary Offence Tickets. SOTs will be considered as each regulation is updated and wording is changed.
Create strategy to promote the Internal Responsibility System	2006 -	Workshops held to gather input.
Underground Mining Regulations	2004 -	Industry review being done in concert with the federal government to establish regulatory requirements at the proposed Donkin Coal Mine.

Priority	Status	Comments
Create strategy to address Liquified Natural Gas Regulations	2005 -	Drafting instructions created.
Create appropriate OH&S regime in the offshore area	2000 -	Negotiations with the federal government and Newfoundland and Labrador continue.
Create strategy to address ergonomic injuries	2003 -	Created self-help documents Collaborated on WCB on ergonomics booklet
Create strategy to address chemical and physical agent exposure	2003 -	Coordinated Nova Scotia program to reduce radon concentrations in air Participated in efforts to update WHMIS laws to harmonize with the Globally Harmonized System
Create strategy to address falls from heights	Not started	

Progress on 2007/2008 Environment and Labour Business Plan Priorities:

In 2007/2008, the Division was also assigned priorities within the larger Department of Environment and Labour Business Plan. The Division's priority was to promote safe and healthy workplaces/work practices and improve the overall safety of Nova Scotia workers through an integrated and strategic approach to workplace safety. Specifically, the Division's priorities were to:

1. Conduct effective initiatives on accident prevention, violence in the workplace and ergonomics developed collaboratively with the WCB and other WSIS partners;
    a. The Division continued work on the Violence in the Workplace Strategy.
    b. The Division, in cooperation with the WCB, provided free training sessions across the province dealing with violence risk assessments and workplace violence prevention plans.
    c. The Division promoted and provided workplace violence prevention self help documentation to workplaces across the province in both english and french.
    d. The Division continued to work with the agency partners of WSIS. The partners arranged for 2 stakeholder consultations during the fiscal year. All WSIS committees - Coordinating Committee, Heads of Agencies Committee, Strategic Performance Advisory Committee, Issues Resolution Committee and Joint Committee - were active during the fiscal year.

2. Improve compliance with existing laws
    a. ICS launched a pilot program to help employers voluntarily comply with OH&S laws, and to help educate employees on their rights and responsibilities. Four Compliance Promotion Specialists were hired for a six-month term to visit workplaces throughout the province to raise awareness of the new Violence in the Workplace Regulations, and also the IRS. The initiative focussed on the retail, gasoline/retail; and taxi industries. In all, 880 Compliance Promotion visits were made.
        i. The efforts of the Compliance Promotion Specialists generated positive comments and there was an appreciation of the Division's desire to "promote" voluntary compliance and help educate the workforce.
    b. A number of social marketing campaigns were active during the fiscal year, including campaigns on television and radio, in print and initiatives on the Internet.

3. Develop and refine OH&S regulatory and non-regulatory instruments focusing on priority issues such as compliance with the elements of the IRS (particularly as regards the effectiveness of joint occupational health and safety committees) and improvements in underground mining regulations
    a. The Division worked on revisions to or creation of:
        i. Underground Mining Regulations
        ii. Summary Offence Ticket Regulations
        iii. Blasting Safety Regulations

iv. Liquefied Natural Gas Regulations
v. Canada - Nova Scotia Offshore Accord Implementation Act.

4. Ensure that OH&S officers have the authority and tools needed to regulate OH&S in liquefied natural gas plants
   a. At year end, although drafting instructions had been produced, regulations in this area had not been introduced.

5. Consult with stakeholders on changes to the Workplace Hazardous Materials Information System (WHMIS)
   a. The Division participated in the review of the WHMIS laws and their potential harmonization with international standards through the Globally Harmonized System of Classification and Labeling of Chemicals.
   b. Presentations were made to a Committee of Canadian Ministers responsible for OH&S to confirm that a national initiative could proceed to address a revision to the WHMIS standards.

6. Continue to implement an effective regulatory regime for underground coal mining at the Donkin Mine in Cape Breton, through consultation and collaboration with HRSDC
   a. The Division administered an agreed upon regulatory regime in conjunction with federal counterparts at the mine site.
   b. The Division continued work on creating a unified regulatory framework for undersea coal mining in Nova Scotia. In cooperation with the federal government and the underground mining industry and workers, the Division prepared drafting instructions for revised Underground Mining Regulations. Work continued on the project at year end.

7. Implement the Activities Tracking System to support decision making and new Summary Offence Ticket regulations, to provide a wider range of compliance tools.
   a. The Division implemented a new Activity Tracking System to generate better information on staff activities.
   b. The Activities Tracking System will support Summary Offence Ticket regulations as they are introduced.

In addition to the specific priorities mentioned above, the Division:

1. Started work on a strategic planning process to identify present and future OH&S issues, research their implications and - in cooperation with the Advisory Council - prioritize them. The process was successfully piloted on the final phase of the 2005 priority list and will be fully implemented in 2008/2009.

2. Completed planning and development of an internal Strategic Plan to address major operations within the Inspection and Compliance Section. The plan will be implemented in 2008/2009.

3. Continued work on an ISO-9001 compliant Quality Management System. Related to the Quality Management System, in the area of client satisfaction, the Division continued to receive high scores in client satisfaction in the areas we currently survey - namely the Internet and the publication mail-out.

4. Participated in the development of national standards by:
   a. Serving on Canadian Standards Association technical committees addressing ergonomics, occupational diving, hard hats and guarding;
   b. Serving on various interjurisdictional committees, such as the Canadian Association of Administrators of Labour Legislation and Representatives of the Atlantic Provinces.

5. Continued to support Environment and Labour projects aimed at developing a comprehensive Regulatory Management Policy.

Review of Compliance with the OH&S Act and Regulations

Compliance by the Division

The Act and regulations establish several requirements on the Division. In all cases where the requirement was triggered, the Division met the requirement.

Compliance by Outside Organizations

Compliance by outside organizations who are required to comply with the Act is currently gauged primarily through an IRS Checklist which is administered during certain categories of inspections. The IRS checklist results revealed the following summary statistics.[1] Appendix B has a detailed listing of the checklist findings.

Internal Responsibility System Measure	**% Meeting New Standard**	**% Meeting Previous Standard (Data for firms with 20 or more workers only)**			
	2007/ 2008	**2006/ 2007**	**2006/ 2006**	**2004/ 2005**	**2003/ 2004**
OH&S policy and program issues	68.8%	74%	52%	68%	66%
JOHSC issues	62.2%	74%	49%	71%	65%
Communication and information	58.5%	73%	48%	69%	66%
Training	57.5%	No equivalent questions in previous checklist			
Records	65.6%	No equivalent questions in previous checklist			

In interpreting the above results, it is important to realize that there is an inspection targeting system that directs the Division's inspections at organizations with higher accident rates. Thus:

- the results above are NOT indicative of the "average" situation in Nova Scotia companies
- as a result of targeting, the results are most likely biased to under-report actual average conformity with the elements of the IRS. The size of the bias is not known.

[1] Note that, with the implementation of the Activity Tracking System, the questions used on the IRS checklist changed. Thus, while data from previous years is presented here, comparisons must be made with caution.

Review of Performance Measures

The Division measures its performance in four ways:

1. The outcomes and outcome measures established for the Division in the Department's Business Plan;
2. Through compliance with our Quality Management System Objectives;
3. Through surveys of client satisfaction; and
4. The outcomes and outcome measures established for the Division through the WSIS process.

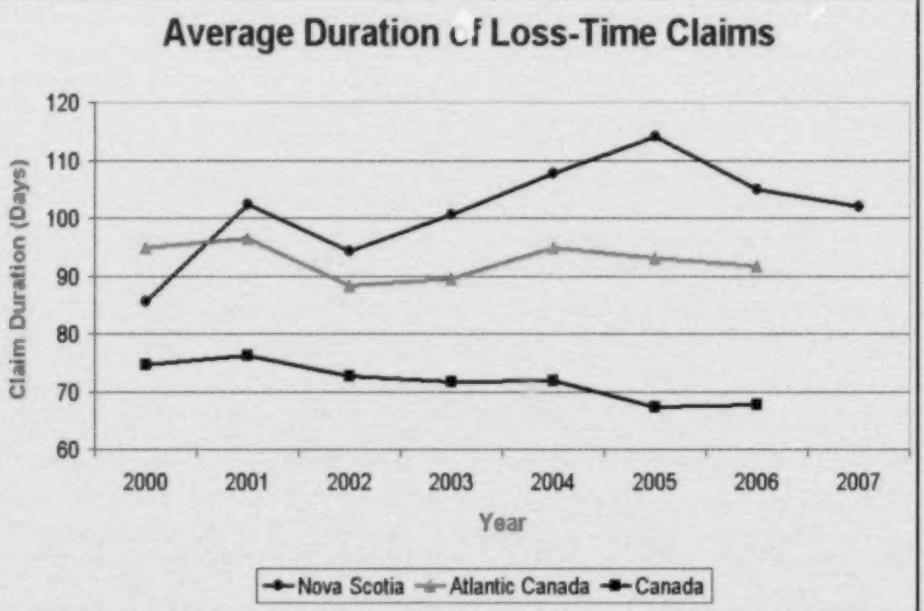
The following sections report on these performance measures.

Business Plan Performance Measures

The Division is accountable for meeting the outcomes and outcome measures noted in the Department's 2007/2008 Business Plan. These are listed below. Appendix C gives details for all three measures.

Measure Average duration of Workers' Compensation lost-time claims compared to the Atlantic Canada and national averages

Target = maintain or decrease the average number of compensable days relative to the Atlantic Canada average



Description of Target, Trend, Comparison/Benchmark:

The target has not been met on an annual basis since 2000.

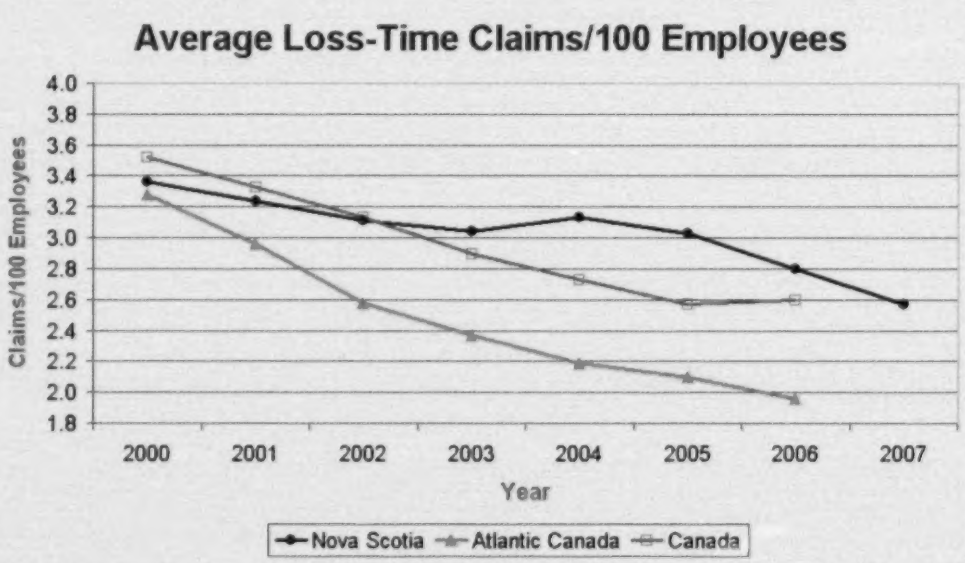
The national average includes only those jurisdictions that report on the measure to the Association of Workers' Compensation Boards of Canada, from which this data comes.

Strategies to Achieve Target:

- work closely with WCB, through WSIS, to identify high accident firms, sectors and type of accidents
- work with the WCB, through WSIS, to increase OH&S promotion and education
- continue to develop a targeted risk-based inspection system which reflects claim duration.

Measure	Annual average number of new registered WCB loss time claims per hundred estimated WCB registered employees compared to the Atlantic Canada and national averages

Target = maintain or decrease the number of WCB loss time claims compared with the national average



Description of Target, Trend, Comparison/Benchmark:

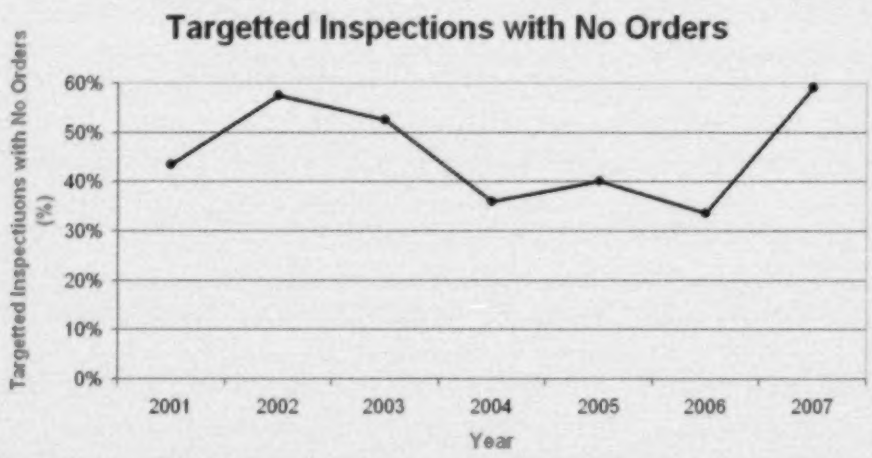
Nova Scotia continued a 3-year decline in the injury rate. Due to the time lag for data to which Nova Scotia's data is compared, no comment is made on Nova Scotia's recent performance compared to other jurisdictions.

Strategies to Achieve Target:

- work closely with WCB, through WSIS, to identify high accident firms, sectors and type of accidents
- work with the WCB, through WSIS, to increase OH&S promotion and education
- continue to develop a targeted risk-based inspection system which reflects claim frequency.

Measure	Annual percentage of targeted inspections where an OH&S order is not issued

Target = increase the percentage from the base year measure



Description of Target, Trend, Comparison/Benchmark:

To meet the annual target, the percentage of inspections without orders must be greater than the base year measure of 43.5% (2001). The Division saw substantial increases in this measure in 2007/2008.

Strategies to Achieve Target:

- work closely with WCB, through WSIS, to identify high accident firms, sectors and type of accidents
- work with the WCB, through WSIS, to increase OH&S promotion and education
- continue to develop a targeted risk-based inspection system
- provide self-help resources to workplaces to improve compliance.

Quality Management System Objectives and Targets for 2007-2008

Quality Objective	What We Measured	Target	2007-2008	2006-2007
Ensure client satisfaction	1. Average client satisfaction based on requested feedback from clients on the Division's services and products, such as publications, e-mail, and website surveys	75%	85%	89%
	2. Requests for service recorded in the CTS will be assigned within 7 calendar days from receiving them	70%	**	84%
	3. Written complaints against staff	<10	1	2
Ensure consistency	4a. Inspection Reports submitted to managers will be reviewed and compared to the Officer File Review Form; 4b. inspection reports will meet the formatting criteria	10%/ 70%	5%/ 75%	10%/ 83%
	5. Major investigation files (those that result in a long form report) received by managers will meet the proper format when initially submitted	80%	58%	55%
Ensure timeliness	6.Work refusal investigations will be completed with a decision made in 10 calendar days from the beginning of the investigation	80%	67%	100%
	7. Compliance orders will be complied with within the time frame specified in the order (includes extensions)	80%	58%	56%
	8. Major (excluding prosecutions) investigation files (those that result in a long form report) will be submitted to managers within 6 months from the time of the original incident	80%	55%	47%
	9. Appeals to the Director will be decided within 6 months	80%	44%	40%
	10. Drafts for publications (excluding laws) will be completed within one month of the start date.	80%	20%	13%
Ensure effectiveness and efficiency	11. Orders appealed to the Director are upheld (where the Director has made a decision based on the merits of an order)	80%	89%	75%
	12. Success rate in prosecutions (% of charged entities found Guilty on at least one charge divided by total number of charged entities with respect to which the judge made a decision. Includes summary offence tickets)	60%	100%	87%*
	13. Investigation files will result in a Hazard Alert being issued	20%	1%	0%
	14.Mandatory training for employees working in the Division for 12 months or more (includes retraining)	80%	18%	35%
	15. Documents (excluding laws) prepared by the Division for public use will be at or below the Grade 9 reading level	80%	60%	64%

** Data is not available.

* In the one decided case that did not result in a guilty verdict, the Judge ruled that fishing was federal jurisdiction and thus quashed all charges. In addition to the decided cases, all charges were withdrawn against 2 entities.

The Division's achievement of the Quality Objectives was mixed. Weaknesses have been highlighted to the Divisional management who are taking steps to either meet or revisit the targets as appropriate.

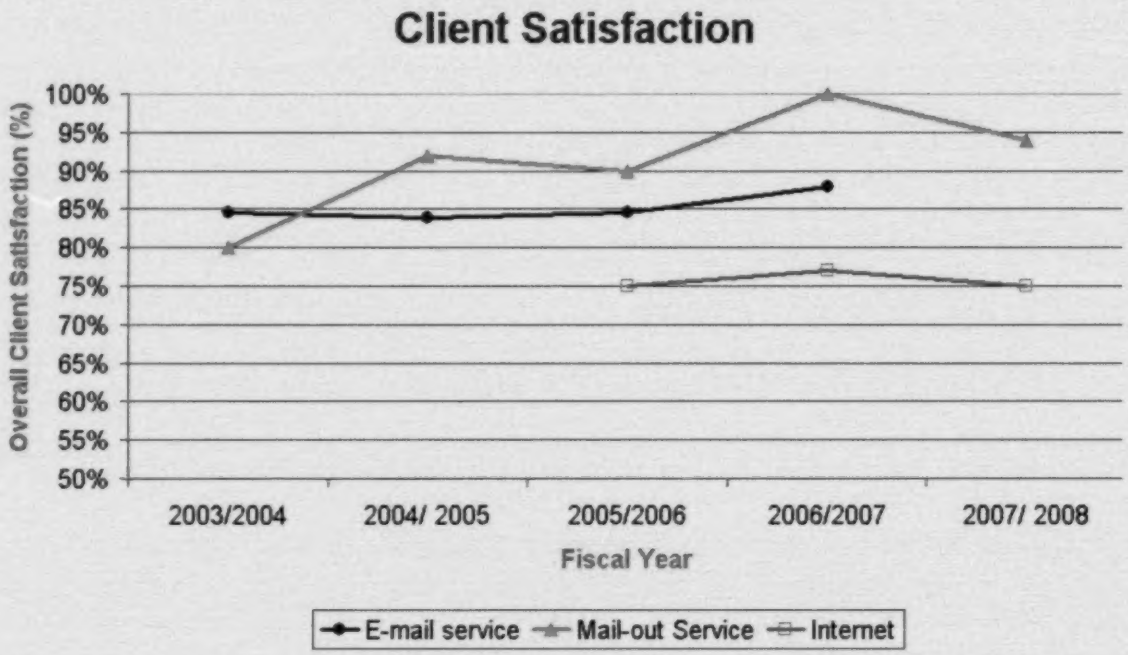
Client Satisfaction

The Division measures client satisfaction for three services:

1. the E-mail Question Service (whereby clients may send e-mails to the Division with questions on OH&S laws and receive an e-mailed answer);
2. the publications mail-out service; and
3. The Internet.

The current surveys gave the results below. Appendix D gives the details of the client satisfaction measures.

Due to operational issues, data for 2007/2008 e-mail satisfaction is not available. The situation will be corrected in 2008/2009.



Outcomes and Outcome Measures Established Through the WSIS Process

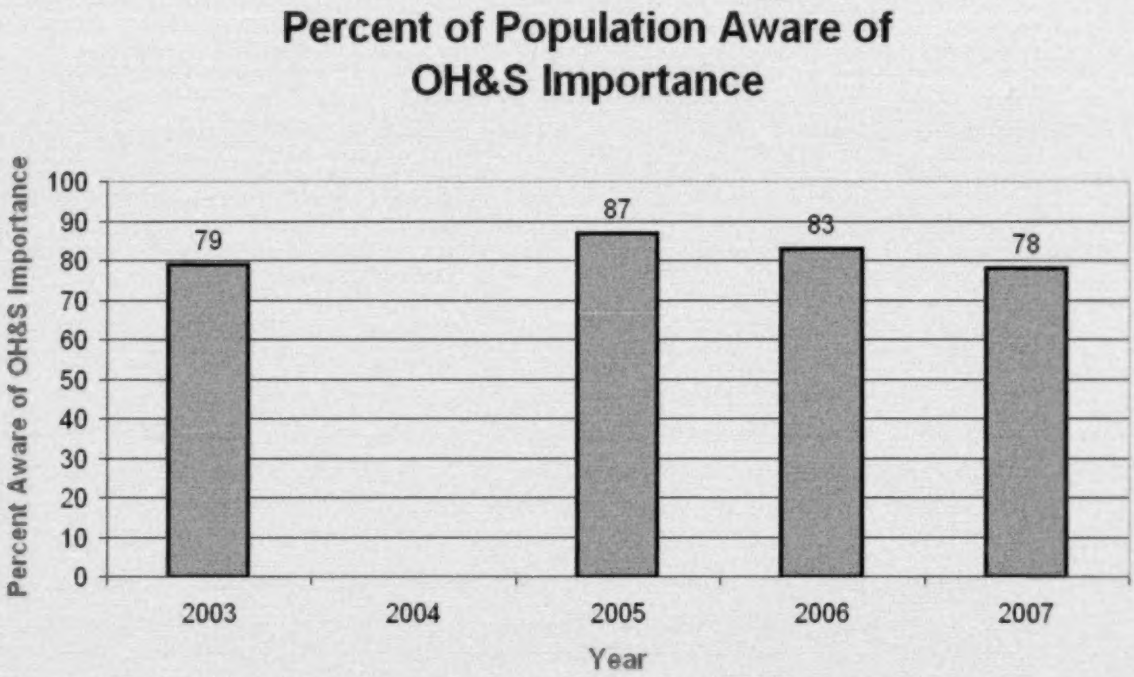
The WSIS process establishes performance measures for its member agencies. These are reported in full in the 2007 WSIS annual report.

The measures relevant to the Division are already covered in previous performance measure sections, except for two areas:

1. Stakeholder Awareness of Importance of OH&S; and
2. Appeals.

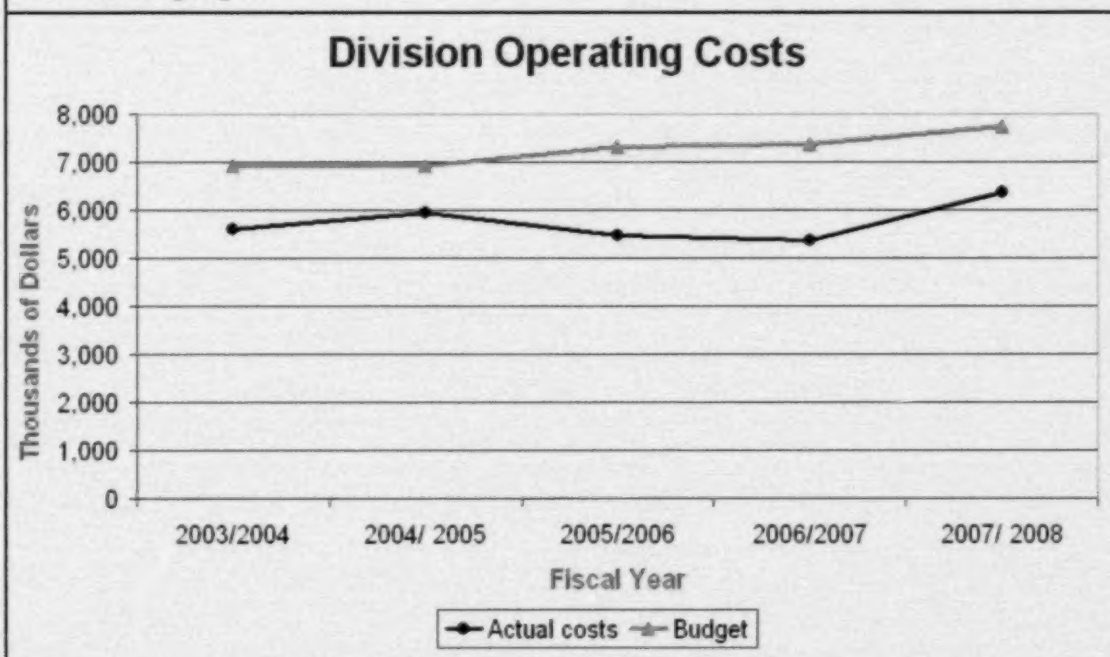
At this time, although WSIS has highlighted the issue as an area for which a measure will be developed, there is no current performance measure for appeals.

The 2007 data for Stakeholder Awareness of Importance of OH&S is below:



The above graph's data is based upon surveys of Nova Scotians. Note that no survey was done in 2004.

Financial Highlights

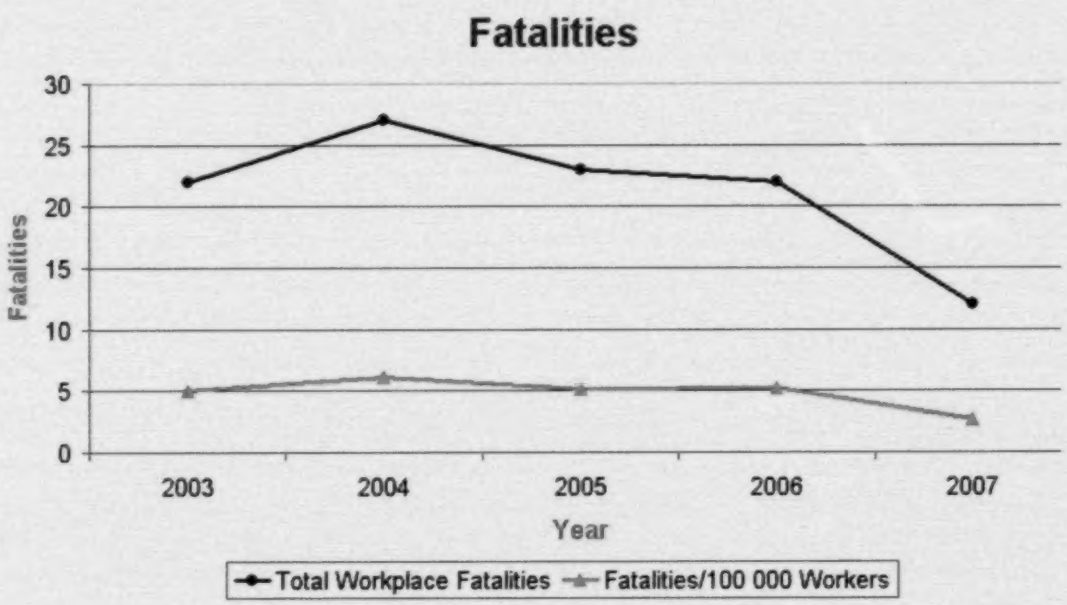


	2007/ 2008	2006/ 2007	2005/ 2006	2004/ 2005	2003 / 2004
Total Costs (actual $000)	6,381	5,361	5,475	5,958	5,611
Budget	7,732	7,357	7,309	6,921	6,922

The Division's revenue came from two major sources - a statutory transfer from the WCB and an amount from the Government's general funds. In addition, the Division earned a relatively small amount of revenue from the sale of publications to the Government Publications Office (from where they are distributed to the public) and from the certification of blasters and the licensing of magazines.

Appendix E lists major funding contributions made by the Division.

Fatality Statistics



Description	Annual Data (calendar year)					5 Year Average
	2007	2006	2005	2004	2003	
*Fatalities Recorded During the Year	12	23	23	27	22	21
Number of Fatalities Reported per 100,000 Employees**	2.68	5.21	5.14	6.11	5.05	4.84

* A workplace fatality is counted by the Division where all of the following are met:

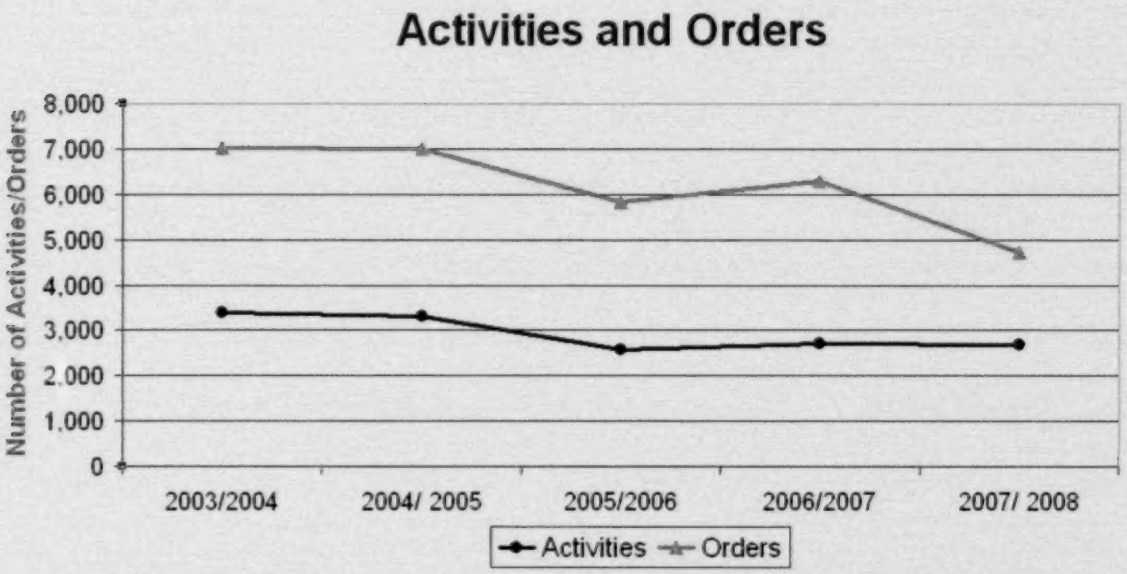
1. The injury that caused the fatality occurred at a place that meets the definition of a 'workplace'
2. At the time of the injury that caused the fatality, the deceased was:
   a. an employee of an organization,
   b. a self-employed person, or
   c. neither an employee nor a self-employed person but who, at the time of the fatality, was contributing to work at the workplace
3. The injury that caused the fatality occurred
   a. within the physical boundaries of Nova Scotia, or
   b. occurred outside the physical boundaries of Nova Scotia and involved an employee of an organization or a self-employed person governed by the NS OH&S legislation at the time of the injury that caused the fatality.

** Employment data from Statistics Canada.

Key Divisional Activity Statistics

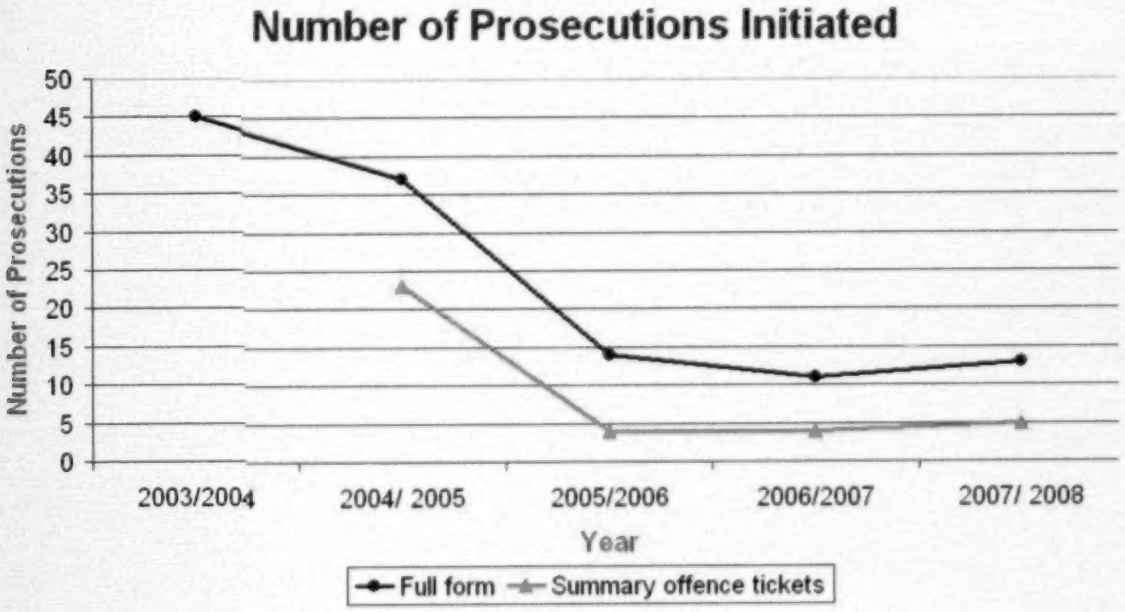
The below graph gives the number of activities undertaken and orders issued by the Division. Appendix F gives more detailed statistics, including breakdowns of:

1. Breakdown of activities by type
2. Breakdown of orders by law
3. Activities by Standard Industrial Classification
4. Complaint inspections by Standard Industrial Classification
5. Targeted inspections by Standard Industrial Classification
6. Orders by Standard Industrial Classification
7. Ratio of Activities to Orders by Standard Industrial Classification.



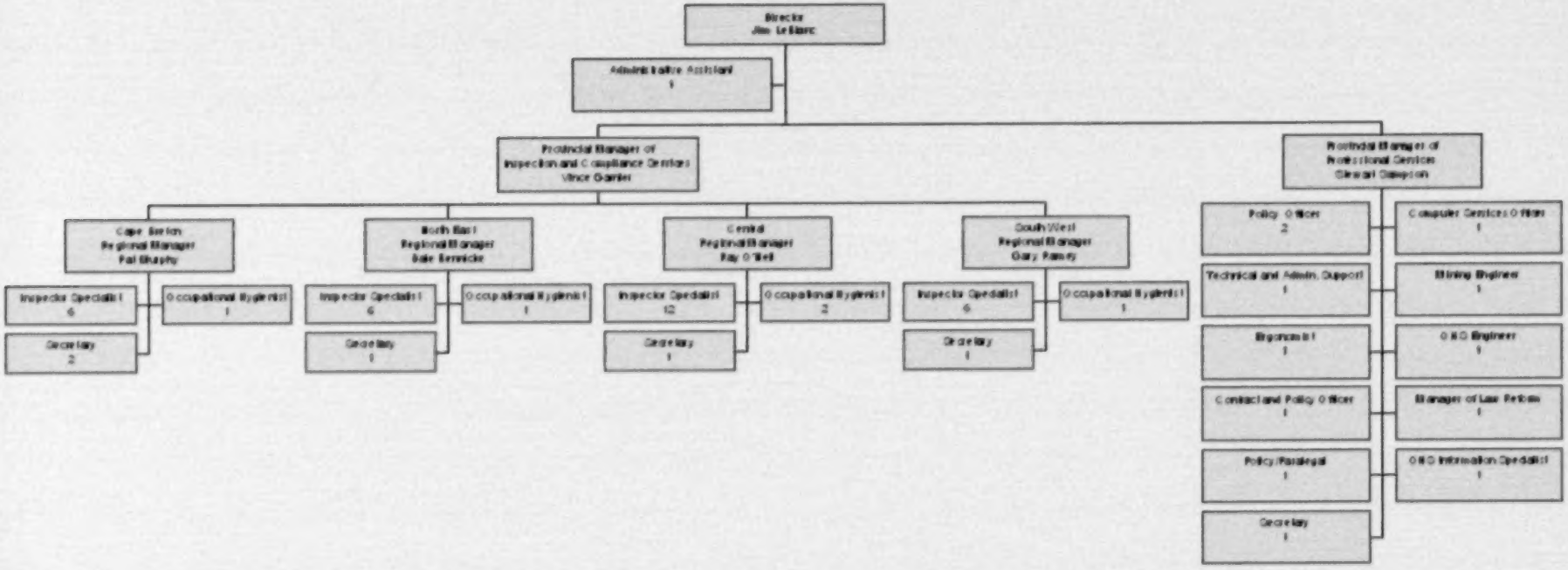
Prosecution Activity

The below graph gives the number of prosecution activities undertaken by the Division. Appendix G gives detailed statistics on cases decided.



Appendix A - Organizational Chart for the Division

As of March 31, 2008



Appendix B - Details of Internal Responsibility Checklists (2007/2008)

Category	Description	No. Of Inspections Where Question Was Asked	%Yes	Average % Yes for Category
OH&S policy and program issues	OHS Policy developed	1,893	68.1%	68.8%
	OHS Program established	1,888	72.4%	
	Procedures established	1,892	71.8%	
	Reporting hazards provision	1,883	71.2%	
	Emergency Procedure	1,885	70.6%	
	Policy & procedures	1,885	71.1%	
	Hazard ID System	1,885	65.8%	
	Monitor hazards	1,881	67.2%	
	Review policy/procedures	1,879	61.6%	
JOHSC issues	JOHSC composition	1,889	70.5%	62.2%
	Worker JOHSC attendance	1,891	60.2%	
	JOHSC established	1,885	71.0%	
	Health & Safety Representative	1,891	50.1%	
	JOHSC rules of procedures	1,883	59.2%	
Communication and information	OHS Policy posted	1,891	62.3%	58.5%
	OHS Act posted	1,893	57.1%	
	Division Number Posted	1,890	57.3%	
	JOHSC Minutes posted	1,886	59.3%	
	Rights/Resp posted	1,888	56.0%	
	Regulations available	1,893	58.3%	
	Orders displayed	1,891	57.2%	
	JOHSC members displayed	1,887	60.6%	
Training	Training Plan documented	1,886	64.1%	57.5%
	JOHSC trained	1,884	50.9%	
Records	Hazard Materials list	1,880	62.3%	65.6%
	JOHSC records maintained	1,883	67.4%	
	Maintain records & stats	1,880	67.2%	

Appendix C - Details of 2007/2008 Business Plan Performance Measures

Measure:	Average five-year composite duration of Workers' Compensation lost-time claim compared to the Atlantic Canada and national averages

Definition of Measure:

- The Workers' Compensation Board compiles accident duration data and number of accident claims. Each jurisdiction submits its statistics to a national association the Association of Workers' Compensation Board of Canada (AWCBC) who publishes comparative data based on the submitted information.
- Definition
  The estimated total number of calendar days compensated for short-term disability over the first five calendar years of duration/lifetime of a typical lost-time claim if current conditions are continued for the future years. Short-term disability benefits are all income benefits during the initial period after the injury, before the injury has stabilized, plateaued or consolidated.
- Calculation
  The composite method is the days paid in the reference year for each accident year, divided by the number of lost-time claims of the corresponding accident year, then the results are added together for the designated number of years. All short-term disability benefits related to income loss including rehabilitation benefits are included up to the point where long-term disability benefits commence. The current year plus four prior accident years are to be used in the calculation.

a = total number of compensable days paid for all compensable time loss claims in a given year
b = total number of time loss claims filed in a given year

Measure (days) $= (a_{(year)}/b_{(year)} + a_{(year-1)}/b_{(year-1)} + a_{(year-2)}/b_{(year-2)} + a_{(year-3)}/b_{(year-3)} + a_{(year-4)}/b_{(year-4)})$

Target = maintain or decrease the average number of compensable days relative to the Atlantic Canada average

Rationale for Selecting Measure:

- NSEL works with employers and employees to promote compliance with a legislative framework that is reflective of current workplace standards. By creating safe and healthy work environments, we minimize workplace hazards and risk, which reduces the likelihood of accidents resulting in workers compensation claims. This measure provides a system measure of injury severity, based on the assumption that the longer a worker is receiving benefits, the more severe the injury. It is important to note that claim duration may be influenced by factors other than severity of injury. Injury severity is a WCB system cost driver and is related to the effectiveness of return to work efforts and disability management. This measure tries to reflect the number of days lost from work.

Annual Data: (calendar year)	2000	2001	2002	2003	2004	2005	2006	2007

Nova Scotia	85.5	102.4	94.2	100.5	107.7	114.0	105.0	102.0
Atlantic Canada	94.9	96.4	88.4	89.5	94.9	93.0	91.7	N/A
Canada	74.7	76.2	72.8	71.6	71.8	67.4	67.7	N/A

Description of Target, Trend, Comparison/Benchmark:

The target is calculated annually, based on the Atlantic Canada average number of compensable days. To meet the target in 2005, the five-year composite number of compensable days for all time loss claims in Nova Scotia must be equal to or less than the Atlantic Canada average.

The target has not been met on an annual basis since 2000.

The national average includes only those jurisdictions that report on the measure to the Association of Workers' Compensation Boards of Canada, from which this data comes.

Strategies to Achieve Target:

- work closely with WCB, through WSIS, to identify high accident firms, sectors and type of accidents
- work with the WCB, through WSIS, to increase OH&S promotion and education
- continue to develop a targeted risk-based inspection system which reflects claim duration.

Other Comments:

The Division operates on a targeted inspection system which is based on industry risks, accident rates and past experiences with an employer. The targeting criteria is designed by the WCB and is intended to take officers to work sites that are problematic and have an above average record of accidents and costs.

Measure: Annual average number of new registered WCB loss time claims per hundred estimated WCB registered employees compared to the Atlantic Canada and national averages

Definition of Measure:

- The WCB compiles statistics related to accident numbers. Each jurisdiction submits its statistics to a national association the Association of Workers' Compensation Board of Canada (AWCBC) who publishes comparative data based on the submitted information.
- **Definition**
  Number of new lost-time claims for assessable employers per 100 workers of assessable employers.
- **Calculation**
  a = total number of new lost-time claims for assessable employers
  b = estimated number of workers of assessable employers or self-employed workers opting for coverage. The reliability of the injury frequency is subject to limitations of its denominator, described in the calculation of the percentage of workforce covered.

Measure (claims /100 WCB covered employees) = 100 x (a/b)

Target = maintain or decrease the number of WCB loss time claims compared with the national average

Rationale for Selecting Measure:

To measure the risk of workplace injury for workers in each jurisdiction in terms of the proportion of workers who suffer a lost-time work injury.

The average number of registered WCB loss time claims per hundred employees reflects the number of workplace accidents occurring in WCB covered work sites. The measure allows government to monitor trends.

Data: (calendar year)	2000	2001	2002	2003	2004	2005	2006	2007
Nova Scotia	3.4	3.2	3.1	3.0	3.1	3.0	2.8	2.6
Atlantic Canada	3.3	3.0	2.6	2.4	2.2	2.1	2.0	N/A
Canada	3.5	3.3	3.1	2.9	2.7	2.6	2.6	N/A

Description of Target, Trend, Comparison/Benchmark:

The target is revised annually, based on the data reported by all Canadian jurisdictions. To meet the target the number of registered WCB claims per 100 employees must be equal to or less than the national average.

Nova Scotia continued a 3-year decline in the injury rate. Due to the time lag for data to which compare Nova Scotia's recent performance, no comment is made on comparisons.

Strategies to Achieve Target:

- work closely with WCB, through WSIS, to identify high accident firms, sectors and type of accidents
- work with the WCB, through WSIS, to increase OH&S promotion and education
- continue to develop a targeted risk-based inspection system which reflects claim frequency.

Other Comments:

The Division operates on a targeted inspection system which is based on industry risks, accident rates and past experiences with an employer. The targeting criteria is designed by the WCB and is intended to take officers to work sites that are problematic and have an above average record of accidents and costs.

Measure: Annual percentage of targeted inspections where an OH&S order is not issued

Definition of Measure:

- The OH&S inspection system targets firms with accident experience and costs that are higher than the average for their industry sector.
- The measure is intended to identify the percentage of targeted employers who are inspected and do not receive an order as a result of that inspection, indicating that they are complying with the provisions of the occupational health and safety laws.

a = number of OH&S targeted inspections in the calendar year
b = number of OH&S targeted inspections for which no orders were issued

Measure (%) = 100 x (b/a) Target = increase the percentage from the base year measure

Rationale for Selecting Measure:

DEL promotes compliance with OH&S laws that reflect current workplace standards. Workplace inspections provide an opportunity to ensure compliance with these laws. If an officer finds a workplace is not in compliance with the laws, an order will be issued. Tracking the total number of targeted inspections where an order is not issued helps provide a picture of compliance levels within these targeted workplaces. From this measure the department can monitor trends in compliance levels.

Data: (calendar year)*	**2001**	**2002**	**2003**	**2004**	**2005**	**2006**	**2007**
Nova Scotia	43.5%	57.5%	52.5%	36%	40%	33.5%	59.0%

* percentage of OH&S targeted inspections where an order is not issued

Description of Target, Trend, Comparison/Benchmark:

To meet the annual target, the percentage of inspections without orders must be greater than the base year measure of 43.5% (2001). The OHS Division's inspection activity continues to report, based on this measure, the failure of targeted workplaces to be in compliance with the regulated standards.

Strategies to Achieve Target:

- work closely with WCB, through WSIS, to identify high accident firms, sectors and type of accidents
- work with the WCB, through WSIS, to increase OH&S promotion and education
- continue to develop a targeted risk-based inspection system
- provide self-help resources to workplaces to improve compliance.

Other Comments:

The Division operates on a targeted inspection system which is based on industry risks, accident rates and past experiences with an employer. The targeting process is based on WCB data and is intended to take officers to work sites that are problematic and have an above average record of accidents and costs.

Appendix D - Details of Client Satisfaction Surveys

E-Mail Question Service Client Satisfaction:

Question	Percent of maximum score				
	2007/ 2008	2006/ 2007	2005/ 2006	2004/ 2005	2003/ 2004
The information answered my question.	N/A	85.33	81.8	83	82.2
The information was clear, concise and understandable.	N/A	85.33	82.4	82.9	80.7
The information was received within an acceptable time frame.	N/A	90.67	90.5	86.9	87.9
You are pleased with the service you received.	N/A	90.67	83.8	83	87.7
Average	**N/A**	**88.0**	**84.6**	**83.9**	**84.6**

Publications Mail-Out Service Client Satisfaction:

Question	2007/ 2008	2006/ 2007	2005/ 2006	2004/ 2005	2003/ 2004
Material received within an acceptable time (% Yes)	100	100	96	100	-
Correct material received (% Yes)	100	100	68	99	-
Friendliness (1-5 scale)	4.7	5.0	4.6	4.5	4.5
Laws well written (1-5 scale)	4.4	4.0	3.9	3.5	3.5
Laws interesting (1-5 scale)	3.0	3.4	3.6	3.7	4.0
Other materials well written (1-5 scale)	4.4	4.6	3.6	3.8	4.0
Other materials interesting (1-5 scale)	4.2	4.4	3.4	3.2	4.0
Overall satisfaction (1-5 scale)	4.7	5.0	4.5	4.6	4.0
% respondents self-identified as "Management"	-	60%	32%	74%	-
% respondents self-identified as "JOHSC members"	-	60%	61%	53%	-

- Result not available.
1 = Worst 5 = Best

Internet Satisfaction:

Question	2007/ 2008	2006/ 2007	2005/ 2006
How would you rate the site navigation?	73%	71%	65 %
How would you rate the site's visual appeal	75%	71%	66 %
How would you rate the ability to find what you want quickly?	66%	64%	41 %
How would you rate the site's search abilities?	50%	67%	50 %
How would you rate the site's overall usefulness?	75%	77%	75 %

Improve Response to Client Requests For Service

In addition to surveys, the Division monitors the time required to respond to a complaint or an incident as a measure of client satisfaction. This parameter is measured through the length of time before the initial investigation of a complaint or incident by an OH&S officer. The length of time before the initial investigation of complaints or incidents by an OH&S officer is as follows:

	2007/ 2008	2006/ 2007	2005/ 2006	2004/ 2005	2003/2004 (Jan. 1st, 04 - Mar. 31st, 04)
Number of complaints/incidents received	1,313	1,370	1,181	1,200	224
Average number of days between receipt of complaint/incident and start of inspection/investigation (if one is conducted)	14.8	7.9	8.75	8.71	7.63
Number of complaints/incidents for which no follow-up inspection was performed*	381	272	238	235	57

* While it is standard procedure for the Division to follow-up on all complaints and incidents, there are some for which this is not appropriate or possible. Such complaints and incidents include:

1) operation that was the subject of the complaint or incident is transient and was no longer in existence by the time an officer could investigate

2) complainant gives incorrect information which does not allow the operation that was the subject of the complaint or incident to be identified

3) the operation that was the subject of the complaint or incident or the matter complained of is within the jurisdiction of

i) the federal government

ii) the Labour Standards Division

iii) other government agency.

In such cases, the complaint or incident is referred to the appropriate agency for follow-up.

Appendix E - Funding Contributions

Canadian Centre for Occupational Health and Safety
The Canadian Centre for Occupational Health and Safety (CCOHS) is a Canadian federal government agency based in Hamilton, Ontario. It supports the vision of eliminating all Canadian work-related illnesses and injuries. As in past years, the Division contributed with other Canadian jurisdictions on a per capita basis to maintain the free Inquiry Service operated by the CCOHS.

Canadian Standards Association
The Canadian Standards Association is a not-for-profit membership-based association serving business, industry, government and consumers in Canada and the global marketplace. As in past years, the Division contributed with other Canadian jurisdictions on a per capita basis to develop a series of occupational health and safety related standards.

Safety Services Nova Scotia
Safety Services Nova Scotia (formerly called the Nova Scotia Safety Council) was founded in 1958, under the name "The Nova Scotia Highway Safety Council", as a private, non-profit, non-government organization, its mission is to make safety and health a way of life and to be the centre of excellence for safety and health. As in past years, the Division contributed base funding to allow SSNS to offer its annual conference which was held in March of 2007.

Nova Scotia Construction Safety Association
The Nova Scotia Construction Safety Association received a grant from the Minister of Environment and Labour's OH&S Public Education Trust Fund.

St. John Ambulance Canada
St. John Ambulance Canada received a grant from the Minister of Environment and Labour's OH&S Public Education Trust Fund.

Skills Nova Scotia
The Division gave a grant of money to Skills Canada - Nova Scotia in support of efforts to promote health and safety in the trades

Day of Mourning
The national Day of Mourning recognizes each April 28th as a day of reflection for people who have been injured or died at work. Again this year, the Province hosted the annual ceremony and reception at Province House.

North America Occupational Safety and Health Week
North American Occupational Safety and Health (NAOSH) Week is an annual event to draw attention to workplace health and safety. This year the OHS Division provided some funding and support to the events planned within the province.

Underground Coal Mining Safety Research Consortium
The Underground Coal Mining Safety Research Consortium funds health and safety-related research projects aimed at reducing incidents of all types at Canadian underground coal mines.

Nova Scotia Crime Stoppers Association

The Division gave a grant to the Nova Scotia Crime Stoppers Association.

Threads of Life

Threads of Life was given a grant from the Minister of Environment and Labour's OH&S Public Education Trust Fund.

Appendix F - Details of Divisional Activities

Tracked Activities

Tracked Activity	2007/2008	2006/2007	2005/2006	2004/2005	2003/2004
Division Field Activities					
Fatalities Investigated	12	10	16	16	19
Work Refusals Investigated	16	13	17	28	15
Inspections Coded Under Old System					
General Inspections	-	697	861	1,004	1,460
Targeted Inspections	-	363	201	448	266
Joint Inspections	-	2	3	9	7
Re-Inspections	-	348	347	512	503
Inspections Coded Under New Activities Tracking System					
Ad Hoc Inspections	879	-	-	-	-
Client Request	1	-	-	-	-
External Request	14	-	-	-	-
Internal Request	2	-	-	-	-
Re-Inspections	143	-	-	-	-
Targeted Inspections	266	-	-	-	-
Complaints Investigated	931	958	800	873	805
Incidents Investigated	370	284	286	350	272
Discriminatory Action Complaints	44	44	35	76	41
Total Field Activities	2,678	2,719	2,566	3,316	3,388
Field Staff Full-time Equivalents Available	31.0	29.8	30.0	30.0	30.0
Field Activities/Staff Member	86	91	86	111	113
Appeals					
Appeals of Officer Decisions	11	19	13	31	10
Appeals of Director Decisions	8	7	3	4	6
Total Appeals	19	26	16	35	16
Prosecutions					
Full-Form Prosecutions Initiated	13	11	14	37	45
Summary Offence Tickets Issued	5	4	4	23	*
Total prosecutions	18	15	18	60	45

* The power to issue summary offence tickets was not in place at this time.
** The categories of Inspections changed with the introduction of the new Activity Tracking System.

Orders Issued

Category	Number of Orders Issued				
	2007/ 2008	2006/ 2007	2005/ 2006	2004 / 2005	2003 / 2004
Orders Issued Under the Acts					
Stop Work Orders	95	108	103	109	123
Deviations Granted	38	39	9	22	24
Codes of Practice Required Under Act	66	30	37	8	34
Total OH&S Act Orders (including the 3 categories listed above)	1,349	1,876	1,996	2,366	2,143
Orders Issued Under the Regulations					
Fall Protection & Scaffolding Regulations	672	358	331	604	618
First Aid Regulations	586	775	636	696	798
General Blasting Regulations	0	12	22	29	15
Occupational Health Regulations	23	9	16	18	35
Occupational Safety General Regulations	1,648	2,603	2,291	2,621	2,684
Temporary Workplace Traffic Control Regs.	36	83	84	42	7
Underground Mining Regulations	7	9	14	57	128
Violence in the Workplace Regulations	104	**	**	**	**
WHMIS Regulations	286	542	389	475	559
Orders Issued Under Other Acts the Division Enforces					
Smoke-free Places Act	19	29	39	68	25
Smoke-free Places Regulations	2	0	1	15	21
Hazardous Products Act***	0	0	0	0	0
Controlled Products Regulations***	0	0	0	0	0
TOTAL	**4,732**	**6,296**	**5,819**	**6,991**	**7,033**

** Regulation did not exist at this time.

*** The Hazardous Products Act and the Controlled Products Regulations do not include an "order"-writing process. In these cases, the equivalent federal processes that are tracked.

Distribution of Divisional Activities by Industry (%)

Industry	SIC Range	2007/ 2008	2006/ 2007	2005/ 2006	2004 / 2005	2003 / 2004
Accommodation, Food, and Beverage	9000-9599	**	5.4	3.8	6.4	5.2
Agricultural and Related Services	0000-0299	**	1.9	2.5	1.9	2.1
Business Services	7700-7999	**	3.0	2.6	2.5	1.8
Communications	4800-4999	**	0.9	1.2	0.9	1.0
Construction	4000-4499	**	30.1	33.4	27.8	26.5
Education Services	8500-8599	**	0.6	0.7	1.0	1.2
Finance and Insurance	7000-7499	**	0.4	0.2	0.4	0.2
Fishing and Trapping	0300-0399	**	1.2	1.4	1.3	1.2
Government Services	8000-8499	**	6.3	6.4	6.0	6.1
Health and Social Services	8600-8999	**	5.6	3.5	5.0	3.9
Logging and Forestry	0400-0599	**	1.2	0.8	1.0	1.3
Manufacturing	1000-3999	**	16.1	15.6	15.8	14.5
Mining, Quarrying, and Oil	0600-0999	**	2.7	3.4	2.8	3.0
Other Services	9600-9999	**	3.8	5.2	4.8	5.4
Real Estate / Insurance	7500-7699	**	0.7	0.7	0.9	1.1
Retail Trade	6000-6999	**	13.3	11.4	13.5	14.4
Transportation and Storage Industries	4500-4799	**	1.7	2.3	2.2	1.8
Wholesale Trade	5000-5999	**	4.9	4.8	5.6	5.6

** Data not available from new Activity Tracking System at this time

Distribution of Complaint Inspections by Industry Type (%)

Industry	SIC Range	2007/ 2008	2006/ 2007	2005/ 2006	2004 / 2005	2003 / 2004
Accommodation, Food, and Beverage	9000-9599	**	3.5	3.6	5.1	4.8
Agricultural and Related Services	0000-0299	**	1.5	2.0	2.0	1.1
Business Services	7700-7999	**	4.9	3.6	3.2	2.9
Communications	4800-4999	**	0.9	1.0	2.0	1.1
Construction	4000-4499	**	37.2	37.0	41.8	40.0
Education Services	8500-8599	**	0.8	0.7	0.7	1.2
Finance and Insurance	7000-7499	**	0.7	0.5	0.3	0.0
Fishing and Trapping	0300-0399	**	0.7	1.7	0.8	1.1
Government Services	8000-8499	**	7..9	8.1	5.3	6.7
Health and Social Services	8600-8999	**	4.2	3.7	2.4	3.5
Logging and Forestry	0400-0599	**	1.0	0.9	0.9	0.5
Manufacturing	1000-3999	**	14.4	14.5	14.5	11.6
Mining, Quarrying, and Oil	0600-0999	**	1.9	2.1	0.5	0.6
Other Services	9600-9999	**	5.6	5.3	6.0	6.3
Real Estate / Insurance	7500-7699	**	1.5	1.5	2.3	2.9
Retail Trade	6000-6999	**	6.4	7.9	4.8	7.0
Transportation and Storage Industries	4500-4799	**	1.8	2.5	2.5	1.6
Wholesale Trade	5000-5999	**	4.5	3.6	4.6	4.1

** Data not available from new Activity Tracking System at this time

Distribution of Targeted Inspections By Industry (%)

Industry	SIC Range	2007/ 2008	2006/ 2007	2005/ 2006	2004/ 2005	2003/ 2004
Accommodation, Food, and Beverage	9000-9599	8.6	12.3	3.4	15.4	8.6
Agricultural and Related Services	0000-0299	0.8	1.0	2.4	1.6	4.1
Business Services	7700-7999	0.0	1.6	2.4	2.7	0.8
Communications	4800-4999	3.1	0.8	1.5	0.9	0.4
Construction	4000-4499	7.0	9.9	16.1	12.3	17.3
Education Services	8500-8599	0.0	0.3	0.0	0.0	0.0
Finance and Insurance	7000-7499	0.0	0.3	0.0	0.7	0.4
Fishing and Trapping	0300-0399	1.6	2.1	2.9	1.3	1.1
Government Services	8000-8499	3.9	4.2	5.4	5.1	3.8
Health and Social Services	8600-8999	10.2	13.8	7.3	9.2	6.8
Logging and Forestry	0400-0599	3.1	2.3	0.5	1.8	3.8
Manufacturing	1000-3999	4.7	19.8	22.4	16.5	16.5
Mining, Quarrying, and Oil	0600-0999	2.3	1.3	0.0	0.9	0.8
Other Services	9600-9999	2.3	3.1	8.3	3.8	2.6
Real Estate / Insurance	7500-7699	3.1	0.8	0.0	0.2	0.4
Retail Trade	6000-6999	41.4	18.0	17.1	17.9	18.8
Transportation and Storage Industries	4500-4799	0.8	3.4	2.0	3.8	3.0
Wholesale Trade	5000-5999	7.0	4.4	8.3	5.8	8.6

Distribution of Orders By Industry (%)

Industry	SIC Range	2007/ 2008	2006/ 2007	2005/ 2006	2004 / 2005	2003 / 2004
Accommodation, Food, and Beverage	9000-9599	4.6	6.4	4.2	9.4	5.7
Agricultural and Related Services	0000-0299	0.5	1.1	2.4	0.7	2.8
Business Services	7700-7999	0.6	1.9	2.7	2.2	1.2
Communications	4800-4999	3.7	0.8	0.6	0.4	0.7
Construction	4000-4499	31.4	21.8	32.6	24.5	24.2
Education Services	8500-8599	0.0	0.5	0.4	0.6	0.8
Finance and Insurance	7000-7499	0.0	0.5	0.1	0.3	0.0
Fishing and Trapping	0300-0399	0.0	0.6	0.9	0.7	0.8
Government Services	8000-8499	3.2	2.9	4.6	2.7	3.5
Health and Social Services	8600-8999	2.9	3.8	1.9	3.0	2.7
Logging and Forestry	0400-0599	0.5	0.8	0.8	1.0	0.9
Manufacturing	1000-3999	12.3	19.1	15.0	16.6	16.6
Mining, Quarrying, and Oil	0600-0999	1.0	3.1	2.3	2.9	3.7
Other Services	9600-9999	4.8	3.7	5.1	4.7	4.8
Real Estate / Insurance	7500-7699	1.1	0.5	0.4	1.3	1.4
Retail Trade	6000-6999	24.1	22.4	18.0	18.9	17.4
Transportation and Storage Industries	4500-4799	1.3	1.1	2.0	2.6	2.1
Wholesale Trade	5000-5999	8.1	8.4	5.9	7.2	7.1

Ratio of Orders to Activities by Industry +

Industry	SIC Range	2007/ 2008	2006/ 2007	2005/ 2006	2004 / 2005	2003 / 2004
Accommodation, Food, and Beverage	9000-9599	**	1.2	1.4	1.5	1.1
Agr icultural and Related Services	0000-0299	**	0.6	0.4	0.4	1.3
Business Services	7700-7999	**	0.6	1.0	0.9	0.7
Communications	4800-4999	**	0.9	0.6	0.4	0.7
Construction	4000-4499	**	0.7	0.6	0.9	0.9
Education Services	8500-8599	**	0.8	0.7	0.6	0.7
Finance and Insurance	7000-7499	**	1.3	2.0	0.8	0.0
Fishing and Trapping	0300-0399	**	0.5	0.4	0.5	0.7
Government Services	8000-8499	**	0.5	0.4	0.5	0.6
Health and Social Services	8600-8999	**	0.7	0.9	0.6	0.7
Logging and Forestry	0400-0599	**	0.7	0.9	1.0	0.7
Manufacturing	1000-3999	**	1.2	1.0	1.1	1.1
Mining, Quarrying, and Oil	0600-0999	**	1.1	0.8	1.0	1.2
Other Services	9600-9999	**	1.0	0.6	1.0	0.9
Real Estate / Insurance	7500-7699	**	0.7	0.6	1.4	1.3
Retail Trade	6000-6999	**	1.7	1.6	1.4	1.2
Transportation and Storage Industries	4500-4799	**	0.6	0.4	1.2	1.2
Wholesale Trade	5000-5999	**	1.7	1.5	1.3	1.3

+ A value of 1.0 indicates an "average" number of orders were issued per activity in a particular industry sector. Values above 1 suggest that, on average, more orders were issued per activity in this sector; values below 1 suggest that, on average, fewer orders were issued per activity in this sector.

** Data not available from new Activity Tracking System at this time

Appendix G - Prosecution Details

Prosecution Breakdown

Parameter	Charges Decided				
	2007/ 2008	2006/ 2007	2005/ 2006	2004 / 2005	2003 / 2004
Full Form Prosecutions Decided	10	10	25	45	36
Full Form Charges Decided					
Guilty	14	8	12	57	48
Not guilty	0	0	0	6	6
Dismissed	0	0	14	13	17
Withdrawn	20	28	17	51	41
Stayed	0	0	0	0	0
Quashed	0	7	0	2	0
Total	**34**	**43**	**43**	**129**	**112**
Summary Offense Tickets (SOT) Decided[1]	5	7	5	20	*
Guilty	5	6	3	16	*

* The power to issue summary offence tickets was not in place at this time.

[1] Summary Offence Tickets that go to trial are still counted as Summary Offence Tickets; not in the Full Form Prosecution

Case by Case results (Full Form Prosecutions - Guilty Only)

Accused	Charges Decided in 2006/2007	Total penalty
Transportation and Public Works	FPSR 24(1)(c)(a)	$20,000
Albert Francis Smith	OHSA 17(1)(c) & OHSA 74(1)(a)	$1,250
Annapolis Valley Peat Moss Company Ltd.	OHSA 74(1)(a) and OSGR 87(2) and OHSA 74(1)(a) and OSGR 88(4)	$21,500
Scozinc Ltd.	OHSA 182(a) & OHSA 74(1)(a) and OSGR 82	$2,000
Joneljim Concrete Construction (1994) Limited	OHSA 74(1)(a) and OSGR 82 and FPSR 7(1)(b)	$50,000
Nation Gypsum (Canada) Ltd. & Patrick C. Mills(Director)	OHSA 13(1)(a) & OHSA 74(1)(a)	$8,625
ACL Construction Ltd.	OHSA 74(1)(b)(i)	$5,000

Guilty Summary Offence Ticket Verdicts

Accused	Charges Decided in 2006/2007	Total penalty
Ledwidge Lumber company Ltd. - Doug Ledwidge	OHSA 74(1)(b)(i)	$800
C.K.F. Inc.	OHSA 74(1)(b)(i)	$800
C.K.F. Inc.	OHSA 74(1)(b)(i)	$800
HalCraft Printing Ltd. (Brian Arkelian, Vice President)	OHSA 74(1)(h)(i)	$800
HalCraft Printing Ltd. (Brian Arkelian, Vice President)	OHSA 74(1)(b)(i)	$800
Sunny Corner Enterprises Inc. - Kevin Grant	OHSA 56(1)	$450

* Summary Offence Tickets that go to trial may have the penalty amount of the fine varied by the Judge

Appendix H - Other Items Included as Information

Public Information

As part of the Division's mission "To establish, promote and enforce clear standards to reduce occupational injury and illness", the Division maintains a strong effort to continuously promote and increase client awareness of OH&S in general and OH&S laws specifically. This effort includes:

1. support for other major events like:
   a. North American Occupational Safety and Health Week
   b. the Safety Services Nova Scotia Annual Conference (for which the Division was a Platinum sponsor in 2008)
   c. the National Day of Mourning and Davis Day
2. an inquiry/question answering service accessible either through a toll-free call or the Internet
3. a large and frequently-visited Internet site
4. alone or in concert with our partners, free courses on OH&S laws and other topics
5. participation on a wide range of stakeholder committees
6. contributing to the funding for the Inquiry Service of the Canadian Centre for Occupational Health and Safety
7. special initiatives, such as the workshops on workplace violence and the IRS and province-wide seminars on workplace violence.

	2007/ 2008	**2006/ 2007**	**2005/ 2006**	**2004 / 2005**	**2003 / 2004**
# Toll Free Calls Received	4,393	2,928	3,685	4,240	4,824*
# Inquiries Received	646	462	1,909	2,870	630**

*Figure is based on prorated data for 11 months.

** Data represents the time period from January 1, 2004 to March 31, 2004.

Major Initiatives

Inspection and Compliance Services

The Inspection and Compliance Services Section (ICS) initiated two key programs during 2007/ 2008: Compliance Promotion and Strategic Planning. The programs were in keeping with three key WSIS Goals:

1. Improve outcomes for workers and employers;
2. Improve service delivery; and
3. Ensure effectiveness governance of the system.

Strategic Planning

In 2007/2008, ICS launched a strategic planning initiative with the main purposes to:

1. Identify "Strategic Goals" for 2008 - 09 that are aligned to corporate and WSIS goals;
2. Identify and prepare for implementation a formal and effective strategic planning process that engages all ICS staff and ensures client service value;
3. Identify and implement a plan to engage all ICS staff persons in the development of "Key Objectives" and an "Activity Plan" for each of the four regions.

Through staff engagement and collaboration with various WSIS partners, ICS strived to:

- Improve the level of OH&S knowledge and awareness within high-risk industries (the two "Priority Sectors" identified were Healthcare and Manufacturing);
- Improve voluntary compliance;
- Establish effective client and stakeholder partnerships;
- Complement the broader goals and objectives of government and WSIS; and
- Enhance client service delivery.

Five "Strategic Goals" were identified for 2008/2009:

1. Implement a Strategic Management program that engages regional staff in defining, implementing and measuring OH&S compliance-related priorities, objectives and outcomes;
2. Identify a Compliance Promotion strategy that seeks to enhance the service value to our clients and stakeholders (this included a structured inspection program, the results of which will be monitored and evaluated throughout 2008/2009 and documented in a later report);
3. Implement an ICS succession management strategy that provides a transfer of knowledge from retiring staff members;
4. Engage partnerships to help enhance the inspection targeting program to enable value-added client service;
5. Build organizational capacity via core competencies and best practices.

Plain Language Initiative:

In an ongoing effort to make information more accessible to our clients, the Division continued work on our plain language initiative. This initiative involved:

1. Updating and maintaining our reference guides for all major regulations and Acts
2. Continuing work on plain language summaries of our laws. In 2007/2008, plain language summaries were completed for all remaining major parts of the Occupational Safety General Regulations
3. Writing three hazard alerts, dealing with:
   a. Remotely Controlled Equipment
   b. Loading lobster traps on fishing vessel
   c. Wood Pole Fall Arrest System.

Partnerships

Workplace Safety and Insurance System

Within WSIS, a number of committees addressed issues and defined initiatives. These included:

1. Coordinating Committee, made up of the Deputy Minister of the Department of Environment and Labour and the Chair of the WCB
2. Head of Agencies Committee, made up of the operational heads of the four main WSIS partners
3. System Goals Advisory Committee, made up system stakeholders and representatives of the WSIS partners.

In partnership with the WSIS partners, the Division participated in:

1. The fourth annual general meeting for WSIS,
2. The implementation of the WSIS strategic plan,
3. Continuing work is continuing to integrate the business planning cycle of the agencies,
4. The support of an Internet site dedicated to WSIS,
5. Social marketing and advertising campaigns aimed at raising awareness about workplace safety,
6. The implementation of the My Account Internet system that allows employers access to OH&S information on their business.

Significant Committee Activities, Events and Projects

The Division participated on the following major committees:

1. the OH&S subcommittee of the Canadian Association of Administrators of Labour Law (CAALL-OSH)
2. Canadian Standards Association technical committees on:
   a. the OH&S ergonomics standard
   b. head protection
   c. machine guarding
   d. occupational diving
3. Farm Safety Committee
4. Forestry Safety Committee
5. North American Occupational Safety and Health Week Planning Committee.

The Division participated in the following major events:

1. The WSIS annual general meeting
2. North American Occupational Health and Safety Week
3. The National Day of Mourning
4. Davis Day ceremonies
5. The Safety Services Nova Scotia annual conference.